

UNGLD-Working Papers - Commissions & Technical Committees - Commission 2/Committee 4-Miscellaneous

1 May 1945  
30 June 1945

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UNITED KINGDOM DELEGATION  
SAN FRANCISCO CONFERENCE

7th May, 1945.

Sir,

In accordance with paragraph 2 of the summary report of the first meeting of Committee II/4, I am directed to inform you that two representatives of the United Kingdom Delegation will normally attend meetings of this Committee, namely:-

The Right Honourable the Viscount Cranborne,  
(Secretary of State for Dominion Affairs).

Mr. G. Tomlinson, M.P.  
(Joint Parliamentary Secretary, Ministry  
of Labour).

I am,  
Sir,  
Your obedient servant,

*Harold Butler*

SECRETARY-GENERAL.

THE SECRETARY,  
COMMISSION II, COMMITTEE 4.

SUGGESTED AGENDA FOR FUTURE MEETINGS OF COM-  
MITTEE II/4

It seems desirable that the work of the Committee should be concluded in not more than three further meetings. It is unlikely that two will be enough. The business outstanding falls under four headings:

1. Discussion of Australian, Egyptian and Philippine amendments.
2. Discussion of other possible amendments.
3. Consideration of text as submitted by drafting subcommittee.
4. Consideration of Rapporteur's report.

It is suggested that the most convenient division of this business might be the following:

First Meeting:

- (a) Final consideration of existing text of Section B as prepared by the drafting subcommittee. This could then be sent to the Coordination Committee, thus saving time by enabling them to start work before Committee II/4 finishes.
- (b) Beginning of discussion on amendments of which notice has been given.

Second Meeting:

Conclusion of discussion on amendments.

Third Meeting:

Consideration of

- (a) Text of Section A, together with any additions to Section B, as prepared by the drafting subcommittee;
- (b) Rapporteur's report.

13/6/45



May 26, 1945

SECRETARIES OF COMMISSION II:

Subject: Form for reporting approved drafts to the Executive Committee for transmission to the Coordination Committee.

Attached you will find a model of the form in which approved drafts should be reported to the Executive Officer. You will note that there is first stated that chapter, section and paragraph with deleted words stricken out and added words inserted and underlined. This is followed by the text of the paragraph as now approved by the committee and this is followed in turn by the authorized French text when such authorized French text exists.

These reports should be prepared in 6 or 7 copies. When an approved French text is reported, 5 copies are to be delivered to room 437. When an approved text is not reported and when, hence, a translation must be made, 6 copies are to be delivered to room 437. The additional copy, in either case, is for the files of the Executive Office.

Huntington Gilchrist

COPY

May 25, 1945

To: Executive Committee

Subject: Approval of Paragraph 2, Section B, Chapter V  
by Committee II/1

This will inform you that Committee I of Commission II has on this date completed the consideration of and has approved paragraph 2 of Section B of Chapter V of the Dumbarton Oaks Proposals with the following changes:

Section B. Functions and Powers

2. The General Assembly ~~should-be-empowered~~  
~~to~~ may admit new members to the Organization  
upon the recommendation of the Security  
Council.

2. The paragraph as now approved by the Committee reads  
as follows:

The General Assembly may admit new members  
to the Organization upon the recommendation  
of the Security Council.

3. The following French text has been approved by the  
Committee:

Section B. Fonctions et Pouvoirs

2. L'Assemblée Générale a le pouvoir  
d'admettre de nouveaux membres dans l'Or-  
ganisation sur la recommandation du  
Conseil de Sécurité.

4. This letter is forwarded to you in compliance with  
"Conference Procedure on Drafting Final Charter" as ap-  
proved by the Steering Committee on May 10, 1945.

\_\_\_\_\_  
Secretary  
Committee I  
Commission II

Approved:

\_\_\_\_\_  
Executive Officer  
Commission II



STATUS OF WORK

Committee II/4 Trusteeship

May 26, 1945

The Committee has adopted in principle the following paragraphs of the Working Paper: A.1, except for sub-paragraph (ii); A.2; B1,3,4,5,7,8, and 9. ( On B5, however, the Iraqi Delegate retains the right to move on amendment at a later stage.) A sub-committee has begun work on drafting. Paragraph A 1 (ii) has been discussed but not yet approved. Paragraphs B.2,6,10,11,12 and 13 still remain to be considered, as well as a new part (C) proposed by the Delegation of Australia. Delays have been caused in part by the fact that the Dumbarton Oaks draft contained no proposals on trusteeship, and in part by the reference of controversial paragraphs to informal consultations among the delegations most concerned in the issues involved. The Committee will be fortunate if it can conclude its work in three more meetings.



MEMORANDUM

URGENT

May 26, 1945

TO: Committee Secretaries

FROM: Robert Stewart

Mr. Hiss has requested that we prepare this afternoon a short memorandum for Mr. Stettinius on the status of the work of the Committees.

Would each Committee Secretary prepare a one-paragraph report on the status of the substantive work of the Committee, what has been adopted, what remains to be approved, where the delays are and what factors are causing the delays. Also, state how many additional meetings you believe will be required to finish the Committee's work.

We would like to have these reports by 5 p.m. today.



*Mr. Chase*

May 22, 1945

TO: Mr. Hiss

FROM: Mr. Green

Mr. Carlos Maria Bollini Shaw, Adviser of the Argentine Delegation, called this afternoon to ask about the proper procedure for making a reservation to the Trusteeship Chapter in the Charter. Mr. Shaw said that his Delegation had no desire to create any controversy or to arouse any publicity about its reservation. The Delegation wishes, however, to make sure that its reservation is included in the final text of the Charter.

Mr. Shaw suggested that the Argentine reservation might be introduced (1) at a meeting of Commission II/4 (2) at a meeting of Commission II, or (3) at the final plenary session. He said that he would like to know at which session the reservation should be introduced and whether it should be presented both orally and in writing.

I replied that I would be glad to submit this question to you immediately and ask you or one of your assistants to telephone Mr. Shaw or Mr. Scilingo at the Hotel St. Francis tomorrow.

After my telephone conversation with you, I called Mr. Kelchner, who said that it was ~~contrary~~ <sup>advisable</sup> for such reservations to be introduced at the Committee stage. In the final acts of inter-American and other Conferences, Dr. Kelchner said the reservation is usually inserted after the signatures of the Delegation making the reservation. After failing to reach Mr. Rothwell and Mr. Dreier, I then called Mr. Stewart, who said that he was somewhat fearful that introduction of such a reservation at a Committee meeting might precipitate a long discussion and make it more difficult to avoid the inclusion of this and ~~other~~ <sup>similar</sup> reservations in the final Charter.

At Mr. Stewart's suggestion I called Mr. Chase, secretary of Committee II/4, and talked with Mr. Beeley in Mr. Chase's absence. Mr. Beeley said that the Argentine Delegation had stated at the close of the Committee meeting this morning that they reserved the right to introduce a reservation to the Trusteeship Chapter. Mr. Beeley and I agreed that, since the question of a reservation had already been raised, it was



desirable for any reservation submitted by the Argentine Delegation to be discussed at the <sup>2nd</sup> onset in Committee II/4.

I then telephoned Mr. Shaw and suggested that the Argentine Delegation submit their reservation in writing to Committee II/4.

I was unable to reach Mr. Warren, but will try later this evening.



June 22, 1945

MEMORANDUM

TO: Mr. Darlington, Coordination Committee

FROM: Mr. Chase, Committee II/4

May I call your attention to what seems to be a serious omission in the Tentative Drafts ( Dec. 1140) in regard to the work of Committee II/4 on trusteeship.

I In the final Committee proposals, paragraph B 13, coordinate authority is given to the General Assembly and to the Trusteeship Council to perform certain functions. The paragraph reads:

13. The General Assembly, and under its authority the Trusteeship Council, in carrying out their functions, shall be empowered to consider reports submitted by the administering authority, to accept petitions and examine them in consultation with the administering authority, to provide for periodic visits to the respective trust territories at times agreed upon with the administering authority, and to take these and other actions in conformity with the terms of the trusteeship agreements.

In article 87 as tentatively approved, the proper powers are assigned to the Trusteeship Council, and nothing as yet appears in the General Assembly chapter that assigns the power to the General Assembly.

The matter might be taken care of by adding to Article 16 a paragraph to read as follows:

"2. The General Assembly may in carrying out its functions; (a) consider reports submitted by the administering authority; (b) accept petitions and examine them in consultation with the administering authority; (c) provide for periodic visits to the respective trust territories at times agreed upon with the administering authority; and (d) take these and other actions in conformity the the trusteeship agreements."



II Both Committee II/4 and I/2 approved the addition of the Trusteeship Council as a principle organ of the United Nations.

Article 7 should consequently have the words " a Trusteeship Council" inserted at the end of line 5.



June 22, 1945

Mr. Lester E. Howard-Taylor  
Hotel Scaggs  
1715 Webster Street  
San Francisco 15, California

Dear Mr. Taylor:

I hereby acknowledge, on behalf of Committee II/4 on the trusteeship system, the receipt of a copy of the memorandum of the Garvey Club, Inc. on "War Objectives of Peoples of African Blood and Descent".

Yours truly,

Secretary,  
Committee II/4

EG:FM



TITLES

- (1) DEPENDENT TERRITORIES
- (2) DEPENDENT PEOPLES
- (3) ARRANGEMENTS CONCERNING DEPENDENT TERRITORIES
- (4) ARRANGEMENTS CONCERNING TRUST TERRITORIES  
AND OTHER DEPENDENCIES
- (5) DECLARATION OF PRINCIPLES AND ARRANGEMENTS  
FOR INTERNATIONAL TRUSTEESHIP
- (6) TERRITORIES WHICH ARE NOT FULLY SELF-  
GOVERNING



Titles

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

- ① Dependent Territories (Peoples)
  - 2 Dependent Peoples
- ② Arrangements concerning  
Dependent Territories
- ③ Arrangements concerning ~~(affecting)~~  
Trust territories and  
other Dependencies
- ④ Declaration of ~~Standards~~ (Principles)  
and Arrangements for  
International Trusteeship
- ⑤ ~~Arrangements for~~ <sup>Concerning</sup> Territories ~~which are~~  
not fully self-governing



THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

Proposed Title for Chapter on Trusteeship.

Declaration of Principles regarding the  
welfare of the peoples of Dependent  
Territories and a United Nations  
Trusteeship System.

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

*Proposed Title -*

*Statement of the Principles of Trusteeships  
and a United Nations Trusteeships  
System.*



THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

Chapter on Trusteeship

Voluntary Trusteeship and a United  
Nations Trusteeship System -

Proposed Chapter System

May 17, 1945

Honorable Guillermo Toriello, Chairman,  
Delegation of Guatemala,  
Sir Francis Drake Hotel,  
San Francisco, California.

Dear Señor Toriello:

I have the honor on behalf of the Secretary General to acknowledge the receipt of your letter of May 16, 1945 with which you forwarded a revised text of an amendment which the Delegation of Guatemala proposes in connection with the territorial trusteeship system.

In accordance with your request, this revised text will be circulated at once to the Conference as a document pertaining to the work of Commission II, Committee 4.

Yours very sincerely,

Huntington Gilchrist, Executive  
Officer, Commission II

HG:JK

cc: ~~Mr.~~ Rothwell  
✓ Mr. Chase



MEMBERS OF THE BRITISH DELEGATION ASSIGNED TO COMMISSION II

Committee 4.

*Ld Cranborne*

George Tomlinson, M.P. ( Parliamentary Secretary to  
Ministry of Labor )

A.H. Poynton, C.O.

H.G. Gee, Ministry of Labor

*David Gunn*



May 14, 1945

To: Mr. Gilchrist  
Mr. Hill

From: Mr. Chase

Subject: Progress Report of Committee II/4

1. The documentary basis of the Committee's work is the six draft proposals on a trusteeship system submitted, through May 11, by the Governments of Australia, China, France, the Soviet Union, the United Kingdom, and the United States. It is not expected that any other government will submit a complete set of proposals, but it is not impossible that two or more of the above-mentioned Governments may propose a joint draft.

2. No progress has been made so far in the adoption of texts.

3. After one meeting for organization, the Committee has spent three meetings in a general discussion of the principles of trusteeship and of plans for a trusteeship system. One further meeting would complete this general discussion. It seems to be felt by the Committee, and the Chairman feels very strongly, that the time has been very profitably spent.

4. After one more meeting devoted to a general discussion, the Committee will have to adopt some specific documentary basis for its detailed discussions. The proposals at the moment before the Committee are two: (1) that a working document promised by Mr. Stassen shall be used. This document, according to his description, would be more a resumé of the points made by all proposers of drafts than a document representing the views of any one country. (2) that a sub-committee should be appointed to draft a working document. A decision as to one of these methods or a combination of the two will be made at the next meeting of the Committee. The entire work of examining drafts and reaching detailed agreement still has to be done.

5. There are no jurisdictional problems.

6. The procedural problems have been indicated in 4 above. If the six drafts are immediately thrown into a



sub-committee, that procedure will probably cause delay. If the Committee can agree upon accepting some one draft as a working document, the Committee's work should proceed with reasonable facility.

A sub-committee might be necessary at a later stage.

7. So far as it is now possible to determine, those delegations which are not opposed to the plan of a trusteeship machinery are in considerable general agreement. The chief conflict of view at the moment seems to be between the Australian desire that colonies might under some conditions be brought under the system against the will of the metropolitan state, and the strong refusal of most other governments to consider a system which is not entirely voluntary. There is, however, great disagreement on many points of great if not major importance.

8. The probable future of the procedure of the Committee has been indicated under 4 and 6 above.

9. The shortest time that the Committee will probably require to complete its work would be two weeks, though it seems almost certain that this minimum can not be obtained, because there are no Dumbarton Oaks Proposals as a basis for its discussion. The work of the Committee will necessarily take longer than that of other committees.

If there remains any dissatisfaction on the part of members of the Committee with the opportunity they have had to express and support their individual views, some of the delegations might be disposed to carry the substantive discussions on to the Commission stage. This again, would cause delay.

*Mr. Chase*

May 5, 1945

TO SECRETARIES OF COMMISSION II:

The Secretary General suggests that the Presidents of Commissions and the Chairmen of Committees meet informally on Monday morning at 9:45 in room 219, Veterans Building, to consider the general program for the scheduling of meetings and any other matters which may properly come before such a group. Will you kindly contact the Chairmen of your committees explaining the situation to them and let me know whether or not they expect to be able to be present.

The Secretaries of Committees are expected to attend this meeting.

HUNTINGTON GILCHRIST



May 6, 1945

Dear Mr. Prime Minister,

A meeting of the Presidents of Commissions and the Chairmen of Committees will be held at 9:45 Monday morning, May 7, 1945 in room 219 Veterans Building.

The next meeting of our Committee is tentatively scheduled for Tuesday at 10:30. I shall look forward to seeing you for a moment after the 9:45 meeting on Monday to talk over any questions which may need to be settled before the Tuesday meeting of the Committee.

Yours sincerely,

The Right Honorable  
The Prime Minister of New Zealand

MEMORANDUM

June 16, 1945

To: Mr. Huntington Gilchrist  
From: ~~Alger Hiss~~  
*Easton Rothwell*

The attached notice of a change in representation on Committee II/4 is forwarded for your information.

cc - ✓ Mr. Eugene Chase,  
Secretary, Committee II/4  
Mr. Frank Kidner,  
Documents Control  
Mrs. Virginia Angel,  
Conference Editor  
Mr. Warren Kelchner,  
Adviser to the Secretary General

HDF:mf



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Y

THE UNITED NATIONS CONFERENCE  
ON INTERNATIONAL ORGANIZATION

South African Delegation,  
Fairmont Hotel,  
SAN FRANCISCO.

13th June, 1945.

Dear Sir,

Referring to my letters of 1st and 2nd May, 1945 regarding the distribution of work on Committees among members of the Delegation of the Union of South Africa, I am directed to inform you that Mr. D. L. Smit, this Delegation's representative on Committee II/4 (Trusteeship), has been called away and that his place on that Committee will be taken by Mr. H. T. Andrews as from the 14th June, 1945.

Yours sincerely,

/s/ T. Hewitson

SECRETARY OF DELEGATION

The Executive Secretary,  
United Nations Conference  
on International Organization,  
Room 404, Veterans Building,  
SAN FRANCISCO.